

1 Commissioner of Patents and Trademarks

Alexandria, VA 22313-1450

ATTENTION EXAMINER: Leonidas Boutsikaris

on September 21, 2004

Return phone number 914-762-5248, Fax Phone Number 914-762-4126

Number of Pages 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: application of: Marc David Levenson et. al.

September 21, 2004

11 Serial No.: 10/730,721

Group No.: 2872

Filed: 12/08/03

Examiner: Leonidas Boutsikaris

For: Detection of adsorbates on interior surfaces of holey fibers

16 REQUEST FOR ACCEPTANCE OF TERMINAL DISCLAIMER

Applicant respectfully requests Examiner to accept the accompanying terminal disclaimer for the above identified application, which will then be in condition for allowance.

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8

21 I hereby certify that the following attached correspondence comprising:

Terminal Disclaimer Request for allowance of Application

is being sent by facsimile transmission to FAX NUMBER 571-273-2308

Commissioner of Patents and Trademarks

Alexandria, VA 22313-1450

26 Respectfully,



24295

PATENT TRADEMARK OFFICE

Rodney T. Hodgson Agent # 37,849

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**TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number 903-021

In re: application of: Marc David Levenson et. al.

Serial No.: 10/730,721

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Examiner: Leonidas Boutsikaris

For: Detection of adsorbates on interior surfaces of holey fibers

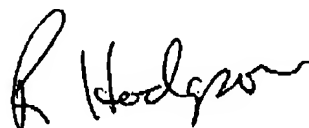
The owner*, Marc David Levenson, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,661,957. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Please debit the Terminal disclaimer fee of \$55, and any additional fees necessary under 37 CFR 1.20(d) to deposit account 08/2240.

The undersigned is an attorney or agent of record.

Respectfully,



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